

GOVERNMENT OF ANDHRA PRADESH
A B S T R A C T

Public Service – Commercial Taxes Department – Sri M.V. Prasanna Kumar, Commercial Tax Officer, presently working as Secretary STAT, Visakhapatnam bench, Adhoc appointment to the post of Assistant Commissioner (CT) – Orders – Issued.

Revenue (CT-I) Department

G.O.Rt.No.462

Dated:25-3-2010

Read the following:

1. Orders of APAT in O.A.No.11832/09, filed by Sri M.V. Prasanna Kumar, working as Secretary, Sales Tax Appellate Tribunal, Visakhapatnam, orders dated: 16.11.2009.
 2. Lr.Rc.No.35/2009/ A2, dt.7.12.2009 from the Chairman (FAC), Sales Tax Appellate Tribunal, A.P., Visakhapatnam branch.
 3. C.C.Ts. Ref.No.D2/1351/09, dt.9.12.2009 from the Commissioner of Commercial Taxes, A.P., Hyderabad.
- @ @ @

O R D E R:

In the reference 1st read above, the Hon'ble A.P.A.T., has issued interim orders and directed the respondents to consider the case of Sri M.V. Prasanna Kumar, Commercial Tax Officer (Secretary, STAT, Visakhapatnam bench) for promotion as Assistant Commissioner (CT) without taking into account, the departmental proceedings initiated under Charge Memo issued in C.C.Ts. Ref. D3/1998/2000, dt.27.11.2000 pending disposal of the O.A.

2. In the reference 2nd read above, Sri M.V. Prasanna Kumar, Commercial Tax Officer (Secretary, STAT, Visakhapatnam bench) has submitted a representation requesting the Government to consider his candidature for the post of Assistant Commissioner (CT) on par with his juniors who are acting as Assistant Commissioners. Further he stated that the Hon'ble A.P.A.T., in O.A.No.11832/09 has issued favourable orders to him for consideration of his promotion as Assistant Commissioner (CT) without taking into account the departmental proceedings initiated under charge memo issued in CCTs. Reference No.D3/1998/2000, dt.27.11.2000.

3. In the reference 3rd read above, the Commissioner of Commercial Taxes has stated that charges were framed against Sri M.V. Prasanna Kumar, Commercial Tax Officer vide proceedings dt. 27.11.2000 for certain irregularities which lead to loss of revenue to the Government exchequer. After examining the explanation of the individual, Government have entrusted the case to the Commissioner of Inquiries vide G.O.Rt.No.760, Rev. (Vig.I) Department, dated: 13.4.2006. Subsequently the Government vide G.O.Rt.No.2573, Revenue (Vig.I) Department, dated: 5.12.2006 issued orders appointing Dr. Prasant Mohapatra, COI as Inquiry Authority and finally again vide G.O.Rt.No.1499, Rev. (Vig.) Department, dated: 13.10.2009 entrusted the case for enquiry to Sri A.B. Venkateswar Rao, COI, GAD. The disciplinary case is still pending.

4. Mean while the Screening Committee meeting held on 26.7.2006, recommended the name of Sri M.V. Prasanna Kumar (Sl.No.4) for inclusion in the panel for promotion as Assistant Commissioner of Commercial Taxes for the panel year 2005-06, but his promotion was recommended to be deferred, in terms of G.O.Ms.No.424, G.A.(Ser.C) Department, dated: 25.5.1976, till the charges pending against him are disposed of.

....2...

5. As per G.O.Ms.No.257, GA (Ser.C) Department, dated: 10.06.1999, the officers categorized as under item (iii) of G.O.Ms.No.424, G.A. (Ser.C) Department dated: 25.5.1976 should be considered for adhoc promotion after completion of two years from the date of the Departmental Promotion Committee or Screening Committee meeting in which their cases were considered for the first time.

6. In view of Interim order of Hon'ble A.P.A.T., in O.A.No.11832/09, dt. 16.11.2009, and in view of orders issued in para 5 (c) (ii) vide G.O.Ms.No.257, G.A.(Ser.C) Department, dated: 10.6.1999, Government have examined the matter carefully and hereby order that under rule 10 (a) of Andhra Pradesh State and Subordinate Service rules, 1996, Sri M.V. Prasanna Kumar, be given adhoc promotion as Assistant Commissioner (CT) in the A.P. Commercial Taxes Services in the scale of pay of Rs.14600-29250 with usual pay and allowances admissible from time to time from the date of taking charge.

7. The temporary promotion ordered in the above para is subject to the following conditions:-

i) the promotion is purely temporary and adhoc and shall not confer any right of preferential treatment at the time of regularization in the cadre;

ii) the promotion is subject to review and re-adjustment after publication of final combined seniority list of Commercial Tax Officers and further review at subsequent stage as required under the S.R. Act; and

iii) the promotion is subject to the outcome of any RPs/WPs/OAs/CAs, if any, pending with APAT/ Courts.

iv) The promotion is also subject to the out come of the disciplinary case pending against him.

1. The Commissioner of Commercial Taxes, A.P., Hyderabad is requested to take necessary further action in the matter and send necessary proposal for issuing posting orders to Sri M.V. Prasanna Kumar as Assistant Commissioner, Commercial Taxes.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

ASUTOSH MISHRA
PRINCIPAL SECRETARY TO GOVERNMENT

To
Sri M.V. Prasanna Kumar, through the Commissioner of
Commercial Taxes, A.P., Hyderabad.
The Commissioner of Commercial Taxes, A.P., Hyderabad.
The Accountant General, A.P., Hyderabad.
The Pay and Accounts Officer, Hyderabad.
The Commissioner of Information & Public Relations Department.
The G.P. for Revenue, Hon'ble A.P.A.T., A.P., Hyderabad

Copy to :

P.S. to Hon'ble Chief Minister

// FORWARDED BY :: ORDER //

SECTION OFFICER